

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States of America
v.
Pedro Francisco CASTILLO-HERNANDEZ

Case No. **4:21-mj-2089**
4:21-MJ-

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of September 28, 2021 in the county of Harris in the
Southern District of Texas, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 USC 751(a) Escape	Defendant did knowingly escape from the custody and confinement of the United States Marshal, GEO, and GEO Joe Corley, an institutional facility contracted by the United States Marshal, while confined by virtue of a lawful arrest on a warrant issued by the Honorable United States District Judge Alia Moses in Cause Number 2:16-cr-1256(01) for a Supervised Release violation stemming from his felony conviction for Illegal Re-Entry Into the United States in violation of 8 U.S.C. 1326(a) & (b).

This criminal complaint is based on these facts:

See attached Affidavit.

☒ Continued on the attached sheet.



Complainant's signature

Michael Suh, Deputy U.S. Marshal

Printed name and title

Sworn to me by telephone.

Date: 09/30/2021



Judge's signature

City and state: Houston, Texas

Honorable U.S. Magistrate Judge Christina Bryan

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

Your Affiant, Michael Suh, is a Deputy United States Marshal employed by the United States Marshals Service since 2004. Your Affiant is authorized to make arrests and conduct criminal investigations, including fugitive investigations with respect to violent offenses and violations of both federal and state law. Your Affiant is also authorized to investigate convicted sex offenders who have failed to register as required by Title 18 United States Code Section 2250, also referred to as the Adam Walsh Child Protection and Safety Act of 2006. As such, your Affiant makes the following statements of facts under oath:

On August 19, 2016, Pedro Francisco CASTILLO-HERNANDEZ was apprehended in Del Rio, Texas for the commission of the offense of illegal re-entry into the United States in violation of 8 U.S.C. 1326(b). On November 30, 2016, CASTILLO-HERNANDEZ was convicted of the felony offense of illegal reentry under Cause Number 2:16-cr-01256-AM. On May 1, 2017, CASTILLO-HERNANDEZ was sentenced to 21 months confinement followed by a three-year term of supervised release.

On November 19, 2018, CASTILLO-HERNANDEZ was released from the Bureau of Prisons to DHS ICE custody. On November 27, 2018, CASTILLO-HERNANDEZ was deported to his home country of Mexico via the Laredo, Texas Port of Entry.

On March 15, 2021, CASTILLO-HERNANDEZ was found to be in the United States illegally in violation of his federal supervised release.

On September 10, 2021, the Honorable United States District Judge Alia Moses issued an arrest warrant under cause number 2:16-cr-1256(01) for CASTILLO-HERNANDEZ for violating conditions of his supervised release. On September 15, 2021, HPD officers arrested CASTILLO-HERNANDEZ under authority of the arrest warrant issued by Judge Alia Moses of the Western District of Texas. CASTILLO-HERANDEZ was subsequently transferred to the custody of the U.S. Marshal, a duly authorized law enforcement agency for the United States under the direction of the Attorney General.

On September 17, 2021, the Honorable United States Magistrate Judge Dena Hanovice Palermo ordered the United States Marshal to maintain custody of CASTILLO-HERNANDEZ and transport him to the Texas Western District Court, Del Rio Division for his revocation proceedings. CASTILLO-HERNANDEZ remained in the custody of the United States Marshal at the GEO Joe Corley Contract Detention Center. GEO is an authorized contractor for the United States Marshal and is authorized to house and transport prisoners in marshal custody.

On September 28, 2021, while in the custody of the United States Marshal and GEO, CASTILLO-HERNANDEZ boarded a GEO Joe Corley Transport Bus traveling to Ellington Field. CASTILLO-HERNANDEZ was scheduled to board a U.S. Marshals transport airplane that would fly him to Del Rio, Texas for the aforementioned revocation proceedings. On September 28, 2021, while the bus was traveling on a Houston roadway in the Southern District of Texas, CASTILLO-HERNANDEZ exited the moving bus through a small hatch, fell on the roadway and successfully escaped custody. The escape was captured on video; despite efforts to locate him, his whereabouts remain unknown.

Therefore, based upon the above information, I believe that probable cause exists for the issuance of a Criminal Complaint charging Pedro Francisco CASTILLO-HERNANDEZ with a violation of Title 18 U.S.C. § 751(a) – Escape from Custody and Confinement.



Michael Suh
Deputy United States Marshal

Subscribed and sworn to me, via telephone, this 30th of September, 2021.

and I find probable cause.



Christina Bryan
United States Magistrate Judge